

**Regular Meeting of the Legal Committee  
Held in the Conference Room at City Hall  
April 28, 2016**

**Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 15-56.**

**ROLL CALL**

The meeting convened at 4:00 p.m. with Chair Perry presiding and Councilors Best, Foster and Oropesa present.

Staff present: William Morris, Scott Stark, Jennifer Brady and William Zarr.

Guests present: Mayor Dennis Kintigh, Caleb Grant and Lisa Dunlap

**APPROVAL OF AGENDA**

Chair Perry requested that items be taken out-of-order and move Regular Item 4 – RIAC Leases and Agreements to Regular Item 1 and the rest to follow. Councilor Best moved to approve the April 28, 2016 Legal Committee meeting agenda as stated by Chair Perry. Councilor Foster was the second. A voice vote was unanimous and the motion passed.

**APPROVAL OF MINUTES**

Councilor Best moved to approve the minutes of the March 24, 2016 Legal Committee meeting. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed.

**REGULAR ITEMS**

To authorize American Aggregate, LLC, a New Mexico Limited Liability Corporation, to renew their current lease agreement on an area of land. Scott Stark discussed American Aggregate, LLC, stating the lease is for the purpose of operating a concrete batch plant. The land is 270,000 square feet and new rent amount is \$494.00 monthly; \$5,928.00 annually. Rent adjustment is 2.49%. American Aggregate, LLC, has been a customer since May 1995. Councilor Perry moved to place American Aggregate, LLC on Consent agenda for approval to renew the current lease agreement subject to all terms and conditions to the lease. Councilor Foster was the second. A voice vote was unanimous and the motion passed.

To authorize Michael Joseph Rohrbacher, an individual, to renew his current lease agreement on an area of land and a container. Scott Stark discussed Michael Joseph Rohrbacher lease agreement stating the lease is for the purpose of storage of display fireworks. The land is 650 square feet and new rent amount is \$118.00 monthly; \$1,416.00 annually. Rent adjustment is 2.61%. Michael Joseph Rohrbacher has been a customer since June 2009. Councilor Best moved to place Michael Joseph Rohrbacher on Consent agenda for approval to renew the current lease agreement subject to all terms and conditions to the lease. Councilor Foster was the second. A voice vote was unanimous and the motion passed.

To authorize Schlumberger Technology Corp., to renew their current lease agreement on Bunker No. 1111. Scott Stark discussed Schlumberger Technology Corp. stating the lease is for the purpose of

explosives storage. The bunker is 1,790 square feet and new rent amount is \$259.00 monthly; \$3,108.00 annually. Rent adjustment is 2.78%. Schlumberger Technology Corp., has been a customer since November 1998. Councilor Foster moved to place Schlumberger Technology Corp., on Consent agenda for approval to renew their current lease agreement subject to all terms and conditions to the lease. Councilor Best was the second. A voice vote was unanimous and the motion passed.

To authorize TSAY Construction & Services, LLC, a New Mexico Limited Liability Corporation, to renew their current lease agreement on seven bays to include office area and restrooms in Building No. 115. Scott Stark discussed TSAY Construction & Services, LLC stating the lease is for the purpose of transportation garage and office. The building is 12,950 square feet and new rent amount is \$1,028.00 monthly; \$12,336.00 annually. Rent adjustment is 2.59%. TSAY Construction & Services, LLC, has been a customer since February 2012. Councilor Foster moved to place TSAY Construction & Services, LLC, on Consent agenda for approval to renew their current lease agreement subject to all terms and conditions to the lease. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed.

To consider Proposed Ordinance 16-11, which would add a new section 10-59 to article VI of Chapter 10 of the Roswell City Code defining educational neglect and providing a penalty for a violation of educational neglect, and to recommend to full Council to authorize a public hearing on Proposed Ordinance 16-11. Mayor Kintigh discussed Proposed Ordinance 16-11. Councilor Best moved to recommend to full Council to authorize a public hearing on Proposed Ordinance 16-11, which would add a new section 10-59 to article VI of Chapter 10 of the Roswell City Code defining educational neglect and providing a penalty for a violation of educational neglect. Councilor Foster was the second. A voice vote was 3-1 and the motion passed with Councilor Oropesa voting no.

To consider Proposed Ordinance 16-12, which would amend various sections of the Zoning Ordinance that pertain to construction and maintenance of parking lots, and to recommend to full Council to authorize a public hearing on Proposed Ordinance 16-12. Mr. Morris discussed Proposed Ordinance 16-12. Councilor Best moved to recommend to full Council to authorize a public hearing on Proposed Ordinance 16-12, which would amend various sections of the Zoning Ordinance that pertain to construction and maintenance of parking lots. Councilor Foster was the second. A voice vote was unanimous and the motion passed.

To consider Proposed Ordinance 16-13, which would amend various sections of the Zoning Ordinance that pertain to sanitation dumpsters, grease bins and enclosure requirements, and to recommend to full Council to authorize a public hearing on Proposed Ordinance 16-13. Mr. Morris discussed Proposed Ordinance 16-13. Councilor Foster moved to recommend to full Council to authorize a public hearing on Proposed Ordinance 16-13, which would amend various sections of the Zoning Ordinance that pertain to sanitation dumpsters, grease bins and enclosure requirements. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed.

#### **OTHER BUSINESS (NON-ACTION)**

None

#### **ADJOURN**

Meeting adjourned at 5:18 p.m.